APPENDIX A

(Filed Apr. 17, 1964 William I. Sullivan, Clerk,
By Crabtree, S. F. Deputy).

SAC. No. 7558

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN BANK

In the Matter of the Application of the Stassen for President Citizens Committee, Etc.,

vs.

Jordan, Secretary of State, Etc.

The application for an order under section 6403 of the Elections Code is Denied.

This order is final forthwith.

Gibson
Chief Justice

I, William I. Sullivan, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court, as shown by the records of my office.

Witness my hand and the seal of the Court this 17th day of April, A.D. 1964.

William I. Sullivan,
Clerk

By J. M. Rogers
Deputy Clerk

(Seal)

APPENDIX B

Deering's California Elections Code Annotated (1961)

"§ 6050. Joinder of three or more voters as committee in proposing nomination of candidates for delegates. Any three or more voters of the State who are registered as intending to affiliate with the same political party may join as a committee in proposing the nomination of a group of candidates for delegates. The committee may elect its officers, select the candidates for delegates, select the chairman of the committee, arrange for the appointment of verification deputies, secure the endorsement of the person, if any, preferred by the committee as candidate for presidential nominee, appoint alternates, assemble and file all necessary papers, and take all other action which may be necessary for the organization and election of the group. The committee in performing its functions may act through its officers or designated representatives."

"§ 6051. Filing of name of committee and names of officers. The committee, on or before the first day for filing the nomination papers of the group, shall file with the Secretary of State a statement containing the name of the committee and the names of its officers."

"§ 6057. Affidavit by candidate for delegate; contents. Each candidate for delegate to his national party convention shall file with the Secretary of State, before the circulation of the nomination papers of the group of candidates of which he is a member, an affidavit which shall state:

(a) His residence, with street and number, if any.

(b) His election precinct.

(c) That he is a voter in the precinct in which he resides.

(d) That he is a candidate for office of delegate.

(e) That he will not withdraw as a candidate before the presidential primary.

(f) That he will qualify as a delegate if elected.

(g) In the case of a candidate for delegate on a slate of delegates pledging itself to the candidacy of a particular candidate for presidential nominee, the following statement: 'I personally prefer ..... as nominee of my political party for President of the United States, and hereby declare to the voters of my party in the State of California that if elected as delegate to their national party convention, I shall to the best of my judgment and ability, support ..... as nominee of my party for President of the United States.'

(h) In the case of a candidate for delegate on a slate of delegates not expressing a preference for a particular candidate, the following statement: 'I express no preference for a particular candidate. The chairman of my group is .....'

The name of a candidate for presidential nominee shall not be placed on the ballot unless this affidavit has been properly filed by each candidate for delegate of the group supporting the candidate."

"§ 6081. Nomination papers. Nomination papers properly prepared, circulated, signed and verified shall be left, for examination, with the county clerk of the county in which they are circulated, at least 60 days prior to the presidential primary. Upon the filing of nomination papers pursuant to this chapter, the persons named in such papers shall be voted upon as delegates to the respective national conventions of the several political parties, but their names shall not be printed upon the ballots of their respective parties."

"§ 6082. Signatures on nomination papers. Nomination papers for candidates for delegates of any party shall be

signed by not less than one-half of 1 per cent and not more than 2 percent of the vote constituting the basis of percentage."

"§ 6086. Affidavit of verification deputy. Each section shall be prepared with the lines for signatures numbered, and shall have attached the affidavit of the verification deputy who obtained signatures to it, stating that all the signatures to the attached section were made in his presence, and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be. No other affidavit is required. The affidavit of any verification deputy shall be verified free of charge by any officer authorized to administer oaths."

"§ 6087. Verified nomination paper; prima facie evidence. A verified nomination paper is prima facie evidence that the signatures are genuine and that the persons signing it are voters, until it is otherwise proved by comparison of the signatures with the affidavits of registration in the office of the county clerk."

"§ 6145. Examination by county clerk. The county clerk shall examine all nomination papers left with him for examination and shall disregard and mark 'not sufficient' the name of any voter of his county which does not appear in the same handwriting on an affidavit of registration in the office of the county clerk. He shall also disregard and mark 'not sufficient' the name of any voter of his county who has not stated his intention to affiliate with the political party named in the nomination papers."

"§ 6146. Certification; Transmittal to secretary of state. Within five days after any nomination papers are left with him for examination, the county clerk shall

(a) Examine and affix to them a certificate reciting that he has examined them and stating the number of names which have not been marked 'not sufficient.'

(b) Transmit the papers with the certificate of examination to the Secretary of State, who shall file the papers."

"§ 6147. Form of county clerk's certification. The county clerk's certificate to nomination papers of a group of candidates shall be in substantially the following form:

County Clerk's Certificate to Nomination Papers of Group of Candidates

To the Secretary of State:

I, county clerk of the County of ....., hereby certify that I have examined the nomination papers, to which this certificate is attached, of the group of candidates for election as delegates at the ensuing presidential primary, and that the number of names which I have not marked "not sufficient" is .....

The group of candidates named in the nomination papers comprise the following (state names of candidates):

....

....

....

Etc. Etc. Etc.

(SEAL)

County clerk

By .....,
Deputy"

"§ 6170. Certified list of candidates: form. At least 45 days before a presidential primary, the Secretary of State shall transmit to each county clerk a certified list containing the names and addresses of the candidates for delegates for whom nomination papers have been filed and who are entitled to be voted for at the presidential primary.

The certified list shall be in substantially the following form:

Certified List of Candidates for Delegate
Department of State

To the County Clerk of ..... County:

I, ..., Secretary of State, do hereby certify that the following list contains the name and post office address of each person for whom nomination papers have been filed in my office and who is entitled to be voted for at the presidential primary to be held on the ..... day of ..... 19 .., as delegate to the next national convention of that party under which his name hereinafter appears; I further certify that in the list under the name of each party, and under the name of the person for whom a preference as nominee of the party for President has been expressed or under the name of the chairman of a group not expressing a preference, there is stated the name of each candidate for delegate who has filed a statement pursuant to Section 6057 of the Elections Code, and who may be voted for as one of a group.

List of Candidates

..... Party

Candidates preferring		Candidates preferring		No preference (Name of chairman)	
Name	Address	Name	Address	Name	Address
Top of Group		Top of Group		Top of Group	
1		1		1	
2		2		2	
3		3		3	
etc.		etc.		etc.	

..... Party

(etc., as above with each political party)

Dated at Sacramento, California, this ..... day of ....., 19 ...

.....
Secretary of State"

(SEAL)

"§ 6403. Judicial order when error or wrongful act has occurred. Whenever it is made to appear by affidavit to the Supreme Court, district courts of appeal, or superior court of the proper county that an error or omission has occurred or is about to occur in the placing of any name on, or in the printing of, an official primary election ballot, or that any wrongful act has been or is about to be done by any person charged with any duty concerning the primary election, or that any neglect of duty has occurred or is about to occur, the court shall order the officer or person charged with the error, wrong or neglect forthwith to correct the error, desist from the wrongful act or perform the duty, or show cause why he should not do so. Any person who fails to obey the order of the court shall be cited to show cause why he is not in contempt of court."